

- - REMARKS - -

Claims 1, 3 and 5-8 were pending in the application. Claim 1 has been rewritten. No new matter has been added as a result of this amendment.

In the outstanding Office Action, claims 1, 5 and 6 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,084,841 to Sugiura et al. (hereinafter "Sugiura"). Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugiura. Claims 7 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugiura in view of U.S. Patent No. 6,163,409 to Uchiyama (hereinafter "Uchiyama"). The claim rejections under 35 U.S.C. §§ 102 and 103 are respectfully traversed. The claims have nevertheless been amended to more clearly define the invention and to eliminate any ambiguity that may have been the basis for the rejections. In particular, independent claim 1 has been amended to further define the relationship between the first and second interfaces of the beam splitter.

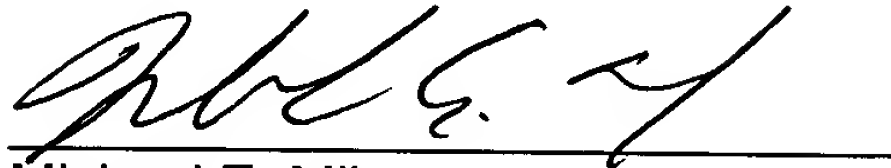
Sugiura appears to disclose an optical disk device using laser beams with different wavelengths in which return beams from a disk are guided toward a light detector by a beam splitter, the optical axes of the return beam being coincident. However, Sugiura does not describe the structure of independent claim 1 that requires a beam splitter wherein the first interface and the second interface are disposed in parallel with each other. As set forth in detail in the specification for the present application, this structure results in a simplified manufacturing process and improved beam splitter alignment. Sugiura, to the contrary, discloses a beam splitter that has an incident plane incident main plane A and a wedge plane B that intersect each other at a predetermined angle. Sugiura therefore fails to disclose the features and limitations of claim 1 discussed above. Uchiyama likewise fails to disclose or suggest these same features and limitations.

Accordingly, independent claim 1 is not rendered unpatentable by these prior art references. The remaining claims are each dependent on claim 1 and are therefore likewise patentable over the prior art.

Accordingly, Applicant believes that the claims are in condition for allowance, and such allowance is now earnestly requested. If for any reason the Examiner is not able

to allow the application, he is requested to contact the Applicant's undersigned attorney at (312) 321-4273.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael E. Milz', written over a horizontal line.

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